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RUEATRS/TREASURY DEPT WASHDC PRIORITY

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SIPDIS

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TAGS: [KTIP](#) [KCRM](#) [PHUM](#) [KWMN](#) [SMIG](#) [KFRD](#) [ASEC](#) [PREF](#) [ELAB](#)

TU

SUBJECT: TURKEY: 9TH ANNUAL TIP REPORT: SUPPLEMENTAL:
PROSECUTION, MILITARY TRAINING, MISCELLANEOUS

REF: A. ANKARA 273

[1](#)B. ANKARA 274

[1](#)C. ANKARA 275

[1](#)D. 08 SECSTATE 132759

[11.](#) (U) Sensitive but unclassified. Please protect
accordingly.

[12.](#) (U) This cable is a supplement to the three-part response
(refs A, B, C) to ref D questions, for which some GOT data
was still outstanding at the time of submission. Embassy
point of contact is Anthony Renzulli, telephone
90-312-457-7178, fax 90-312-468-4775.

Government Measures to Ensure
Peacekeepers Deployed Abroad
do Not Engage In or Facilitate TIP

[13.](#) (SBU) The Turkish military recorded no incidents of
Turkish military personnel having engaged in or facilitated
human trafficking or exploiting victims of such trafficking.
As reported in ref A, Prevention, para G, Turkish military
personnel participate in NATO Partnership for Peace (PfP)
training, hosted by the Ankara-based PfP training center.
Seven Turkish and 37 foreign military personnel attended the
training in 2008; forty additional Turkish and PfP military
personnel received the course during the last week of
February 2009. The MFA also reported that personnel assigned
to peace-keeping duties are given a one week course on TIP.
Turkish military personnel in 2008 also participated in MOJ
and IOM-led seminars on trafficking.

Law Enforcement Statistics

[14.](#) (SBU) According to MOJ data provided by MFA, 104 new
Turkish Penal Code (TPC) Article 80 (human trafficking) cases
were opened in 2008, and 95 transferred from the previous
year. Five cases were annulled, bringing the total number of
cases prosecuted in 2008 to 204. 69 cases were finalized in
2008 and 135 transferred to 2009. Those 69 cases involved
prosecutions against 273 suspected human traffickers and the
135 transferred cases were against 627 suspects. Judicial
action was initiated against 248 suspected traffickers in
[12008](#). 158 of those were arrested, 55 were to be prosecuted
on release, 28 remained at large, and four were deported.

[15.](#) (SBU) Judicial data compilation and reporting on TIP
prosecutions improved greatly last year. Rather than
providing statistics from Turkey's 81 judicial districts, the

data this year was compiled. As reported in ref B, Prosecutions, Turkey can and does prosecute and convict traffickers under a wide range of statutes in addition to TPC Article 80. However, in the past, it has been difficult to ascertain precisely which convictions specifically targeted traffickers. Clarifying the picture, this year, in response to our question on convictions, the GOT reported to us TPC Article 80 convictions and cases opened under TPC Article 80 but convicted under another statute as de facto convictions of human traffickers.

¶6. (SBU) According to MOJ data provided by MFA, 13 traffickers were convicted under TPC Article 80 -- a three-fold increase over last year. Sentences averaged eight years plus monetary fines. In addition to the TPC Article 80 convictions, prosecutions against 39 suspected traffickers were opened under TPC Article 80 but the suspects ultimately prosecuted and sentenced under TPC Article 227 (mediating prostitution). These sentences averaged 3-4 years' imprisonment plus monetary fines. A prosecution against one trafficker was opened under TPC Article 80 but prosecuted under TPC Article 109 covering deprivation of liberty. The sentence was 2-4 years' imprisonment. Five prosecutions were opened under TPC Article 80 but the traffickers ultimately prosecuted and sentenced under TPC Article 79, the statute covering migrant smuggling. They received 2-4 years and a fine.

Issuance of Humanitarian Visas

¶7. (SBU) The GOT issued two humanitarian visas (see ref C, Protection and Assistance to Victims, para A) in 2008.

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Additional Information Not Reported in Reftels

¶8. (U) VICTIMS IDENTIFIED: Of the 118 victims identified by the GOT, nine were trafficked for labor (the rest for sexual exploitation); eleven were below the age of 18.

¶9. (U) TRAINING (in addition to the training and seminars reported reftels): Under a new program, 54 Turkish National Police (TNP) officers began receiving Russian language training in 2008. 109 Jandarma officials in 2008 received the agency's four-week course on human smuggling and trafficking; 335 have received it since 2006. The MOJ and British Embassy conducted a joint seminar in Ankara on human trafficking and alien smuggling February 4-6, 2008. Seven public prosecutors participated in the seminar and 100 judges and prosecutors participated in an Antalya-based seminar under the same UK-Turkish partnership. The TNP Public Order Department, with British police, held a meeting in Istanbul March 5-6, 2008 on prosecuting sex crimes. 33 police officers from 16 provinces participated; a follow-up seminar was held in November.

¶10. (U) INTERNATIONAL COOPERATION (in addition to the cooperation reported reftels): MFA reported specific international cooperation on 35 trafficking incidents, 11 through the Southeast Europe Cooperation Initiative (SECI), 21 with Interpol, two with Ukraine and one with Georgia. One SECI tip resulted in two traffickers arrested and one victim saved. Two joint operations with Ukraine resulted in eight suspects arrested and four victims saved. TNP Foreigners Department provided TIP training to ten Kyrgyz police officers. TNP Smuggling and Organized Crime Department coordination meetings with foreign police officials continued in 2008.

¶11. (SBU) OFFICIAL INVOLVEMENT IN TIP: As per ref B, Prosecution, para J, the GOT took action against 25 security officials in 2008. In addition, one judge was prosecuted under TPC Article 227 and sentenced to two years'

imprisonment. The Ardahan Heavy Penal Court in June 2008 convicted a Judicial Hall employee to one year and six months' imprisonment (sentences of less than two years can be converted to fines) and barred him from public service for one year for mediating prostitution and organized crime. Two prosecutors were "retired under scrutiny" for relations with suspected human traffickers, but investigations resulted in insufficient evidence for prosecution. Two Hanak Prosecutor's Office employees were warned concerning suspected involvement in mediating prostitution and human trafficking. There was insufficient evidence for prosecution or strict administrative reprimand. Administrative action was taken against the Gaziantep and the Gaziosmanpasa Public Prosecutors for friendships with suspected traffickers.

¶12. (SBU) CHILD SEXUAL ABUSE: As reported in ref B, Turkey is not known as a source or destination country for child sex tourism. However, the GOT reported that one Turkish fugitive was captured abroad and repatriated for raping his minor daughter.

¶13. (U) SHELTER ASSISTANCE: The Istanbul shelter, administered by the Human Resource Development Foundation (HRDF), has assisted six victims so far in 2009, five from Turkmenistan and one from Moldova.

¶14. (SBU) HEROES: We nominated HRDF Board Chairman Turgut Tokus as a Hero in the fight against TIP. We continue to support the nomination strongly but learned after our submission that Tokus recently became an American citizen (though he plans for the foreseeable future to continue to reside in Turkey and continue his work with HRDF).

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Jeffrey